

VIRGINIA: IN THE CIRCUIT COURT FOR THE CITY OF CHESAPEAKE

BARBARA L. SEXTON,

Plaintiff,

v

Case No.: CL 22-5763

WAL-MART STORES, INC., and  
WAL-MART STORES EAST, LP

Defendants.

SERVE: Wal-Mart Stores, Inc.  
c/o CT Corporation System  
4701 Cox Road, Suite 285  
Glen Allen, Virginia 23060

SERVE: Wal-Mart Stores East, LP  
c/o CT Corporation System  
4701 Cox Road, Suite 285  
Glen Allen, Virginia 23060

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CHESAPEAKE CIRCUIT COURT  
D.C.  
BY

COMPLAINT

NOW comes Plaintiff, Barbara L. Sexton, by counsel, and moves for judgment against the Defendants, Wal-Mart Stores, Inc., and Wal-Mart Stores East, LP, on the grounds and in the amount as hereinafter set forth:

1. On the evening of December 14, 2020, Plaintiff, Barbara L. Sexton, was a lawful invitee on the premises of Wal-Mart Stores, Inc., and Wal-Mart Stores East, LP, located at 2448 Chesapeake Square Ring Road, Chesapeake, Virginia 23321.
2. At that time and place, Plaintiff while holding her granddaughter, and walking toward the entrance doors, walked on the sidewalk past the exit doors when

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EXHIBIT

A

she suddenly and without warning was struck by shopping carts being pushed by an employee of Walmart using an electronically operated shopping cart pusher.

3. At said time and place, Defendants, Wal-Mart Stores, Inc., and Wal-Mart Stores East, LP, maintained on its premises, a machine known as a cart pusher, puller, retriever, or cart manager, in order to retrieve its shopping carts left in the parking lots by their customers.

4. At the time and place aforesaid, Plaintiff was struck in the leg by a train of carts pushed onto the sidewalk from the exit doors by Defendants.

5. At that time and place, no "spotter" or lookout employee was assisting the employee pushing the line of carts, and on all times prior, Defendants knew or reasonably should have known the danger of not having a "spotter" in front of the train of carts.

6. At that time and place it was the duty of the Defendants, through its agents and employees, to inspect the area where carts were to be pushed, prior to their being pushed, in order to determine whether the area was clear of people and obstacles so not to cause harm to its invitees, and/or to be vigilant to determine whether the shopping carts, known to the Defendants, its agents and employees, were in a position to cause harm to Defendants business invitees.

7. Notwithstanding said duty, Defendants, Wal-Mart Stores, Inc., and Wal-Mart Stores East, LP, through its agents and employees, knowingly and negligently permitted the train of carts to be pushed onto the sidewalk without a

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“spotter” in front, and with knowledge and notice of the dangerous propensity of these carts, pushed a train of carts directly into Plaintiff’s shin, knocking her to the ground. Despite being on notice of such hazardous condition, Defendants were negligent in failing to secure said carts to an area away from where its invitees would regularly walk.

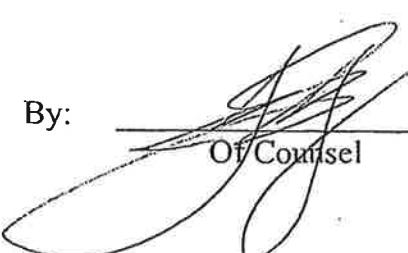
8. As a direct and proximate result thereof, Plaintiff was caused to suffer serious and permanent injuries, has suffered and will continue to suffer great pain of body and mind, has sustained permanent disability, deformity, loss of income and future earning capacity, and has incurred and will incur in the future, hospital, doctors, and related bills in an effort to cure said injuries.

WHEREFORE, Plaintiff, Barbara L. Sexton, demands judgment against Defendants, Wal-Mart Stores Inc., and Wal-Mart Stores East, LP, in the sum of Two-Hundred Fifty Thousand (\$250,000.00) Dollars, together with interest from December 14, 2020, and her costs in this behalf expended. Trial by jury is hereby demanded.

Respectfully submitted,

BARBARA L. SEXTON

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Of Counsel

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